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9 Attorneys for Defendant  
10 FIDELITY & GUARANTY LIFE  
11 INSURANCE COMPANY

12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 BIONCIA FRAYER,

15 Plaintiff,

16 v.

17 FIDELITY & GUARANTY LIFE  
18 INSURANCE COMPANY and DOES ONE  
19 through FIFTY, inclusive,

20 Defendants.

Case No.: C05-05179 SC

**SUBSTITUTION OF ATTORNEY**

SUBSTITUTION OF ATTORNEY

CASE NO. C05-05179 SC

1 TO THE CLERK OF THE ABOVE ENTITLED COURT AND TO ALL PARTIES  
2 HEREIN AND TO THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that defendant, Fidelity & Guaranty Life Insurance Company,  
4 hereby substitutes counsel as follows:

5  
6 1. Former legal representative:

7 Kelly, Herlihy & Klein, LLP  
8

9 2. New legal representative:

10 Sean P. Nalty, Esq. (SBN 121253)  
11 Wilson, Elser, Moskowitz, Edelman & Dicker  
12 525 Market Street, 17<sup>th</sup> Floor  
13 San Francisco, CA 94105-2725  
14 Tel: (415) 433-0990  
Fax: (415) 434-1370

15 3. The party making this substitution is defendant, Fidelity & Guaranty Life Insurance  
16 Company.

17  
18 4. I consent to this substitution.

19  
20 Dated: February 23, 2007

CYNTHIA MOSKOWITZ  
(Print Name)

Fidelity & GUARANTY LIFE  
INS. CO.  
[Signature]  
(Signature of party)

21  
22  
23 5. I consent to this substitution.

24  
25 Dated: February 23, 2007

Thomas M. Herlihy  
(Print Name)

[Signature]  
(Signature of former attorney)

6. I am duly admitted to practice in this District and accept this substitution.

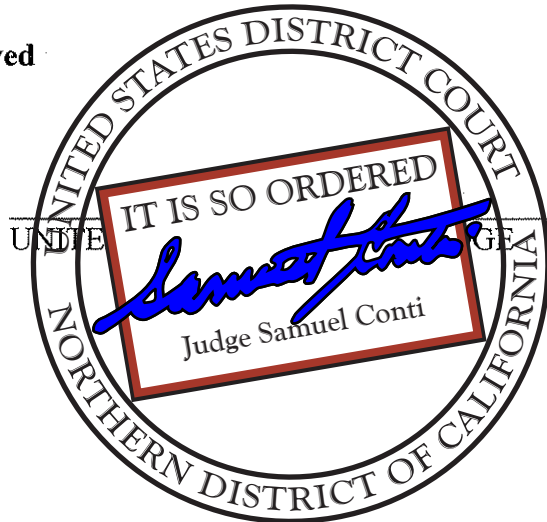
Dated: February \_\_, 2007

Sean P. Nalty  
(Print Name)

Sean P. Nalty  
(Signature of new attorney)

**Substitution of Attorney is hereby approved**

Date: 2/28, 2007



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